

Message Text

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DRAFTED BY EUR/EE:JMANDEL:MD

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APPROVED BY EUR/EE:JABAKER, JR.

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R 141454Z FEB 74

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK

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FOLLOWING SENT SECSTATE WASHDC INFO POZNAN FROM WARSAW
12 FEB 74:

QUOTE LIMITED OFFICIAL USE WARSAW 0836

E.O. 11652: N/A

TAGS: PINS, PINT, PFOR, PL, VT

SUBJECT: ARREST OF POLISH PRIEST

REF: STATE 023099 (NOTAL), WARSAW 712, WARSAW 776

1. LOCAL UPI CORRESPONDENT ON FEBRUARY 9 GAVE AN EMBASSY OFFICER FURTHER DETAILS ABOUT SUBJECT. THE PRIEST HAD BEEN A MONK, BUT HE EITHER QUIT OR WAS EXPELLED FROM THE ORDER AND IS REGARDED AS SOMEWHAT "STRANGE" EVEN BY THE CHURCH. THE CORRESPONDENT HAS THE IMPRESSION THAT THE PRIEST WAS ACTING ON HIS OWN IN CONDUCTING MASS AT HOME. THE INCIDENT ACTUALLY OCCURRED ON DECEMBER 16. THE PRIEST HAS NOW BEEN TRANSFERRED TO A HOSPITAL IN WARSAW, AND, ACCORDING TO THE CORRESPONDENT, THERE IS A LEGAL DEADLINE BEFORE WHICH THE AUTHORITIES MUST EITHER MAKE A DETERMINATION REGARDING HIS MENTAL CONDITION OR RELEASE HIM.

2. SINCE IT WAS THE CHURCH SOURCES WHO FIRST INFORMED LOCAL
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FOREIGN NEWSMEN ABOUT THIS INCIDENT, THE CORRESPONDENT

BELIEVES THE CHURCH MAY HAVE HOPED TO EMBARRASS THE REGIME WITH STORIES APPEARING IN THE FOREIGN PRESS SHORTLY BEFORE ARCHBISHOP CASAROLI'S FEBRUARY 4-6 VISIT TO WARSAW AS A GUEST OF THE REGIME.

3. COMMENT: WE BELIEVE THE CHURCH IS ALWAYS RE*DY TO USE SPECIFIC EXAMPLES IN KEEPING THE WORLD INFORMED OF ITS CONTINUING DIFFICULTIES WITH THE REGIME. HOWEVER, WE DOUBT THAT THE CASAROLI VISIT WAS THE PRIME MOTIVATION IN THE PRESENT INSTANCE. THE CHURCH GAVE THE STORY TO FOREIGN NEWSMEN OVER A MONTH BEFORE THE VISIT.

4. THE EMBASSY HAS OBTAINED CLARIFICATION FROM A CHURCH OFFICIAL REGARDING OUR UNDERSTANDING ABOUT THE LEGAL STATUS OF RELIGIOUS CEREMONIES (PARA 3 OF REF WARSAW 712). THE LAW INVOLVED IS A GENERAL AND LONG-STANDING ONE WHICH PROSCRIBES PUBLIC ASSEMBLY OF ANY KIND WITHOUT PERMISSION OF LOCAL AUTHORITIES. THE OFFICIAL COULD NOT CITE THE ARTICLE OF LAW BUT SAID IT IS NOT SPECIFICALLY DIRECTED AGAINST THE CHURCH. IN FACT, IT EXPLICITLY EXEMPTS RELIGIOUS SERVICES HELD IN CHURCHES FROM ITS PROVISIONS. THE OFFICIAL INDICATED, HOWEVER, THAT THE LAW COULD OBVIOUSLY BE APPLIED, AT THE WHIM OF THE AUTHORITIES, TO A MASS HELD IN A HOME TO WHICH THE PUBLIC IS INVITED AND FOR WHICH PRIOR PERMISSION HAS NOT BEEN OBTAINED. DAVIES. UNQUOTE KISSINGER

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